

GOVERNMENT OF TELANGANA  
ABSTRACT

Public Services – Prohibition & Excise Department – Smt P. Swapna DR, Prohibition & Excise Sub-Inspector – Declaration of probation in the category of Prohibition & Excise Sub-Inspector – Relaxation of special rules – Orders – Issued.

REVENUE (EXCISE-I) DEPARTMENT

G.O.RT.No. 99

Dated:25 -09-2014

Read the following:-

- 1) From the Commissioner of Prohibition & Excise, A.P., Hyderabad, Letter Cr.No 6800/2013/H2, dt.20-11-2013.
- 2 ) Government Memo No.43739/Excise-I(2)/2013-1, dated 27.03.2014.
- 3) From the Hon'ble APAT orders dated 02.01.2014 in O.A.No. 9361/2013.
- 4) From the Commissioner of Prohibition & Excise, A.P., Hyderabad. Letter, Cr.No 6800/2013/H2-I & II, dated 11.04.2013 & Letter Cr.No. 6800/2013/CPE/H2/B1, dated 12.08.2014.

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**ORDER:-**

The Commissioner of Prohibition & Excise, A.P. Hyderabad in letter first read above, has stated that Smt P. Swapana, Prohibition and Excise Sub-Inspector has requested for regularization of service and declaration of probation in the category of Prohibition and Excise Sub-Inspector. He further stated that Smt P. Swapana, was selected by the APPSC for the post of Prohibition and Excise Sub-Inspector by direct recruitment and was allotted to Zone V. She joined duty on 09-11-2009. During the period of probation she proceeded on leave. She has passed all the departmental tests for declaration of probation as prescribed under Rule-10 of the A.P. Prohibition & Excise Subordinate Service Rules, 1998. The post of Prohibition & Excise Sub-Inspector is included as category-II in the A.P. Prohibition & Excise Subordinate Service Rules, 1998. As per Rules-9 of the said rules, "Every person appointed by direct recruitment to any of the posts in this service shall, from the date on which he/she joins duty, be on probation for a total period of (2) years on duty within a continuous period of (3) years".

2. Smt P. Swapana, Prohibition and Excise Sub-Inspector has availed a total leave for a period of 1 year 7 months & 20 days during the time of probation (including Maternity leave for 1 year) as shown below:

Period of leave	No. of days leave	Reasons for leave
09.01.2010 to 07.07.2010	Six Months	Maternity leave
01.12.2011 to 17.7.2012	Seven Months & 20 days	Half pay leave on medical ground
01.08.2012 to 27.1.2013	Six Months	Maternity leave
Total	Nineteen months twenty days (one year 7 months and 20 days)	

3. Further, the Commissioner of Prohibition & Excise, A.P., Hyderabad has stated that Smt P. Swapana, Prohibition & Excise Sub-Inspector has not put in (2) years of duty within a continuous period of (3) years, as prescribed under Rule-9(a) of the said rules. She had put in (2) years duty on 09.01.2010, which is exceeding the period of (3) years from the date of appointment, by (17 Months & 20) days. Therefore, the Rule-9 (a) of the A.P. Prohibition & Excise Subordinate Service Rules, 1998 is required for exemption and relaxation. Therefore, requested the Government to pass necessary orders for in relaxation of special rules, in favour of Smt P. Swapana,, Prohibition & Excise Sub-Inspector for declaration of her probation as done in similar case by Government in G.O.Rt.No.529, Revenue (Excise-I) Department, dated 03.05.2011.

4. In the reference 2<sup>nd</sup> read above, the CPE, Hyderabad was informed that the proposal for declaration of probation of Smt P.Swapna, Prohibition and Excise Sub-Inspector (DR), in relaxation of rules is rejected, as there are no justifying grounds for considering such relaxation.

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5. Further, the Commissioner of Prohibition & Excise, A.P., Hyderabad in his letter 4<sup>th</sup> read above has stated that Smt R.V.Rajyalakshmi, Prohibition & Excise Sub-Inspector has filed O.A.No.9361/2014 and the Hon'ble Tribunal in its order dated 02.01.2014 consider the application of the applicant forwarded by Respondent No.1 to Respondent No.2 through letter Rc.No.556/2013/P&E/A1, dated 13.09.2013 and pass appropriate orders by extending the benefit of G.O.Rt.No.529, Revenue (Excise-I) Department, dated 03.05.2011 before effecting promotions to the cadre of Prohibition and Excise Inspector in Zone-V. Therefore, the probation is required to be declared by relaxing the rules or extending her date of probation otherwise she will not be declared with probation and thus she will deprive her increments, pay, seniority etc, as such he has requested the Government to pass necessary orders as was done in similar situated case by Government in G.O.Rt.No.529, Revenue (Excise-I) Department, dated 03.05.2011 duly relaxing Rule 9(a) of Andhra Pradesh Prohibition & Excise Subordinate Service Rules issued in G.O.Ms.No.950, Revenue (Excise-I) department, dated 28.11.1998 to declare probation within normal period of probation when the individual has availed leaves during the probation period which has exceeded the probation time.

6. Government after careful examination of the matter, have decided to relax the rule 9(a) of the Andhra Pradesh Prohibition and Excise Subordinate Service Rules issued in G.O.Ms.No.950, Revenue (Excise-I) Department, dated 28th November, 1998 in favour of Smt P. Swapana, Prohibition & Excise Sub-Inspector by invoking the powers of relaxation conferred under Rule 31 of A.P. State and Subordinate Service Rule, 1996.

7. Accordingly, Government hereby order to relax the rule 9(a) of the Andhra Pradesh Prohibition and Excise Subordinate Service Rules issued in G.O.Ms.No.950, Revenue (Excise-I) Department, dated 28th November, 1998 in favour of Smt P. Swapana, Prohibition & Excise Sub-inspector and to declare that she shall be deemed to have completed her probation within normal period of probation in the cadre of Prohibition & Excise Sub-Inspector.

8. The Commissioner of Probation & Excise, Telangana, Hyderabad shall take necessary action accordingly.

( BY ORDER IN THE NAME OF GOVERNOR OF TELANGANA)

B.R MEENA  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Commissioner of Prohibition & Excise,  
Telangana, Hyderabad

Copy to:-

The Government Pleader for Revenue (Services),  
O/o: A.P.Administrative Tribunal, Hyderabad.

// Forwarded :: By :: Order//

Section Offer